

Frequently Asked Questions: Employees California's New Paid Sick Leave law (AB 1522)

ELIGIBILITY FOR PAID SICK LEAVE

Q: When does the new law take effect?

A: July 1, 2015.

Q: How do I qualify for paid sick leave?

A: You must work for an employer in the State of California on or after January 1, 2015, for at least 30 days AND by satisfying a 90-day employment period (which works like a probationary period) before you can actually take any sick leave.

Q: What if I work less than 30 days in California within a year?

A: You will not be entitled to be paid sick leave under the new law.

Q: What if I work more than 30 days in California within a year, but less than 90 days?

A: The 90-day period works like a probationary period. Although you can begin accruing paid sick leave on July 1, 2015, or your first day of employment (if hired after July 1, 2015), if you work less than 90 days for Securitas, you are not entitled to take paid sick leave.

Q: When am I entitled to take paid sick leave?

A: You can take paid sick leave only after meeting the qualifications for paid sick leave (addressed in the previous three questions/responses above) and accruing enough paid sick leave time to use for one of the stated purposes of the law. See accrual information in next section.

Q: Does paid sick leave apply to all employees who work in California?

A: An employee who works at least 30 days within a year in California, including part-time, per diem, and temporary employees, are covered by this new law with some specific exceptions. Employees covered by qualifying collective bargaining agreements with specified provisions may be exempt.

Q: How do I know if I am exempt due to a qualifying CBA or special client contract?

A: Check with your branch or HR representative if you have questions about your CBA or client contract.

HOW DO QUALIFYING EMPLOYEES ACCRUE & TAKE PAID SICK LEAVE

Q: If I qualify, how much paid sick am I entitled to take and be paid for?

A: Starting July 1, 2015, you will earn at least one hour of paid sick leave for every 30 hours worked. The amount of paid sick leave you can take in one calendar year is capped at 24 hours (three days).

Q: Can I take any amount of paid sick leave, or are there minimums?

A: You can take paid sick leave for no less than two hours in the day. Additionally, you cannot take paid sick leave to exceed eight (8) hours in the day, subject to hours you have accrued and have available.

Q: How is the year measured?

A: Calendar year.

Q: Why does the law let me accrue more time than I could use in a year?

A: The intent of the law is to ensure that the employee always has 24 hours that can be taken in any calendar year.

Q: Can I carry over unused sick leave from one year to the next?

A: Yes, but your accrual is capped at 6 days or 48 hours.

FOR WHAT PURPOSES CAN AN EMPLOYEE TAKE PAID SICK LEAVE

Q: How can I use my sick leave?

A: You can take paid sick leave for yourself or a family member for preventive care or care of an existing health condition. It can also be taken if you are a victim of domestic violence, sexual assault or stalking. Family members include a parent, child, spouse, registered domestic partner, grandparent, grandchild, and sibling. Preventive care would include annual physicals or flu shots.

Q: Can I take sick leave as vacation or because I want a day off?

A: No, the law requires that you take the time to care for yourself or a family member who is sick or needs medical treatment. Doctor's notes may be required.

Q: Do I have to give notice that I need to take the paid sick leave?

A: Yes, you must give oral or written notice of the need to take sick leave. If the need is foreseeable, you must give reasonable advance notice, but where the need is unforeseeable, you must give notice as soon as practicable.

Q: If I leave my job, are the unused sick days "cashed out?"

A: No. However if you leave your job within Securitas in California and you are rehired with Securitas in California within 12 months, your unused hours in your "leave bank" at the time of your separation, will be reinstated.

Q: What happens if I transfer within Securitas (e.g. transfer to California, transfer out of California)?

A: For those employees who transfer from Securitas California to Securitas in another state the following happens:

- a) There is no "cash out"
- b) The accrual process is stopped
- c) The hours available and in the "leave bank" remain in the leave bank.
- d) In accordance with Securitas policy and compliant with AB 1522, the hours available may not be used outside of California.
- e) Provided the employee returns to Securitas in California within 12 months of leaving, the available hours in the leave bank will be reinstated

For those employees who transfer to Securitas California from Securitas in another state, the following happens:

- a) Once the employee begins working in California, he/she begins accruing right away

- b) Provided the employee has been with the Company at least 90 days, the employee may begin taking paid sick leave as accrued. As mentioned previously, employees cannot take available sick leave for hours less than the established minimum / maximum per day.

PAYMENT AND TRACKING OF EARNED AND TAKEN SICK LEAVE

Q: When I take paid sick leave, do I get paid as I normally would for the applicable pay period?

A: Yes, you will be paid *no later than* the payday for the next regular payroll period after the sick leave was taken.

Q: How much do I get paid?

A: You will be paid at your regular hourly rate. If your pay fluctuates, the law requires that the employer divide your total compensation for the previous 90 days by the number of hours worked and pay the sick leave time at that rate.

Q: How will I know how much sick leave I have available?

A: You will be provided that information on your pay stub. Additionally, employers must keep records showing how many hours an employee earned and used for three years.

Q: How does the new law fit in with local sick leave ordinances?

A: For employees subject to local sick leave ordinances, the employer must comply with both the local and California laws, which may differ in some respects. The employer must provide the benefits that are more generous to the employee.

REQUIRED INFORMATION TO BE PROVIDED TO EMPLOYEES

Q: How do I learn about my rights to paid sick leave in California?

A: Beginning January 1, 2015, a poster was placed in a conspicuous place in the workplace, containing the following information:

- (1) That an employee is entitled to accrue, request, and use paid sick days;
- (2) The amount of sick days provided for and the terms of use of paid sick days;
- (3) That retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or both is prohibited; and
- (4) That an employee has the right under this law to file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against an employee.

Second, you should have received a Notice to Employee (required under Labor Code section 2810.5) that includes paid sick leave information.